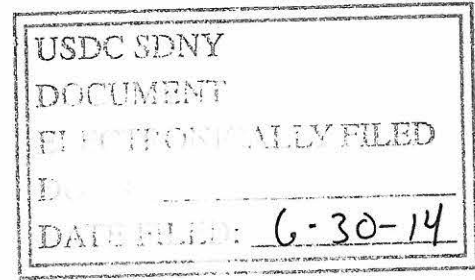


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
ODYSSEY REINSURANCE COMPANY,

*Petitioner,*

*-against-*

CERTAIN UNDERWRITERS AT LLOYD'S  
LONDON SYNDICATE 53 and RELIASTAR  
REINSURANCE GROUP (DK), a division of  
RELIASTAR LIFE INSURANCE  
COMPANY,

*Respondents.*  
-----X

13 Civ. 9014 (PAC)

**OPINION & ORDER**

HONORABLE PAUL A. CROTTY, United States District Judge:

Petitioner Odyssey Reinsurance Group (“Odyssey”) petitions the Court to appoint an arbitration umpire to serve in Odyssey’s arbitration with Respondents, Certain Underwriters of Lloyd’s of London Syndicate 53 and Reliastar Reinsurance Group (DK), a division of Reliastar Life Insurance Company (“Reliastar”) (collectively, “Respondents”), over a disputed claim for reinsurance made by Odyssey. (Petition for Order Appointing Arbitration Umpire (“Petition”) at 1.) There is no need to recount the difficulties or to assess blame for the delays in finalizing the appointments prior to the commencement of arbitration. There has not been a breakdown in the process that justifies court intervention. Respondents have now made their three appointments (Richard Appel, Denis Loring, and Dirk Turley)<sup>1</sup> and Odyssey has as well (Anthony Vidovich,

<sup>1</sup> Petitioner argues that Respondents’ selected candidates are not qualified. But “a district court cannot entertain an attack upon the qualifications or partiality of arbitrators until after the conclusion of the arbitration and the rendition of an award.” *Michaels v. Mariforum Shipping, S.A.*, 624 F.2d 411, 414 fn. 4 (2d Cir. 1980). None of the cases that Petitioner cites challenges this Second Circuit precedent.


David Bradford, and Glenn Frankel). Accordingly, the parties should proceed to the next stage of arbitrator selection as described in the Retro Agreements.

**CONCLUSION**

Odyssey's petition is denied. The Clerk of Court is directed to enter judgment and close this case.

Dated: New York, New York  
June 30, 2014

SO ORDERED

  
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PAUL A. CROTTY  
United States District Judge